

United States Courts
Southern District of Texas
FILED

JAN 30 2004

Michael M. Kirby, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

PIRELLI ARMSTRONG TIRE	§	Civil Action No. H-02-0410
CORPORATION RETIREE MEDICAL	§	(Consolidated)
BENEFITS TRUST, et al., On Behalf of	§	
Themselves and All Others Similarly Situated,	§	<u>CLASS ACTION</u>
	§	
Plaintiffs,	§	
	§	
vs.	§	
	§	
HANOVER COMPRESSOR COMPANY, et	§	
al.,	§	
	§	
Defendants.	§	

**SETTLING PLAINTIFFS' NOTICE OF UNOPPOSED MOTION AND UNOPPOSED
MOTION FOR (1) FINAL APPROVAL OF SETTLEMENT AND THE SECURITIES
AND ERISA PLANS OF ALLOCATION; AND (2) AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF EXPENSES**

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TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that pursuant to the Court's Order of December 5, 2003, on February 6, 2004 at 2:30 p.m. at the United States District Court for the Southern District of Texas, 515 Rusk Avenue, Houston, Texas, or as soon thereafter as counsel may be heard before the Honorable Vanessa D. Gilmore, United States District Judge, Settling Plaintiffs will hereby and do move for orders and/or judgments (1) finally approving the settlement of the litigation and dismissing the above-captioned action with prejudice; (2) approving the Securities and ERISA Plans of Allocation of settlement proceeds; and (3) awarding Settling Plaintiffs' Counsel attorneys' fees plus reimbursement of expenses incurred and reimbursement of time and expenses to certain Lead Plaintiffs and to the named Plaintiff in the ERISA Action. Settling Plaintiffs' motion is based upon Settling Plaintiffs' Memorandum of Law in Support of Unopposed Motion for Final Approval of Settlement and the Securities and ERISA Plans of Allocation, Settling Plaintiffs' Memorandum of Law in Support of Unopposed Motion for an Award of Attorneys' Fees and Reimbursement of Expenses, the Declaration of Darren J. Robbins in Support of Settling Plaintiffs' Counsel's Unopposed Motion for Final Approval of Settlement and the Securities and ERISA Plans of Allocation, and for Award of Attorneys' Fees and Reimbursement of Expenses, the Declaration of Robert A.G. Monks on Behalf of Lens Governance Advisors, P.A. in Support of Plaintiffs' Unopposed Motion for Final Approval of Settlement, the Declarations/Affidavits of counsel and Lead Plaintiffs submitted herewith, the Stipulation and Agreement of Settlement dated as of October

23, 2003, all other pleadings and matters of record, and such additional evidence or argument as may be presented in Settling Plaintiffs' motion or at the hearing.

DATED: January 30, 2004

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DECLARATION OF SERVICE BY UPS DELIVERY

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is 401 B Street, Suite 1700, San Diego, California 92101.

2. That on January 30, 2004, declarant served by UPS, next day delivery, the SETTLING PLAINTIFFS' NOTICE OF UNOPPOSED MOTION AND UNOPPOSED MOTION FOR (1) FINAL APPROVAL OF SETTLEMENT AND THE SECURITIES AND ERISA PLANS OF ALLOCATION; AND (2) AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES to the parties listed on the attached Service List.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 30th day of January, 2004, at San Diego, California.


DANELLE L. MCNERTNEY

HANOVER COMPRESSOR (SETTLEMENT)

Service List - 1/29/2004 (202-038S)

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